



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

AGENDA

Meeting of August 9, 2000
9:00 A.M., First Floor Hearing Room
242 State Street, Augusta, Maine

ROUTINE BUSINESS

1. Ratification of Minutes of the July 12, 2000 meeting.

OLD BUSINESS

2. Rotundo - Madore (Senate District 21) Primary Election (impact of "independent expenditures" on Maine Clean Election Act candidate matching fund eligibility):

Ms. Lorraine T. Comeau Complaint: By letter dated June 13, 2000, Ms. Comeau forwarded for Commission action three (3) flyers endorsing State Senate candidate, District 21, Ms. Margaret (Peggy) Rotundo for the June 13th primary election. Two (2) flyers were initiated by the AFL-CIO and one (1) by Maine State Employees Association (MSEA) Political Action. Tabled from July 12, 2000 meeting.

Recommendation: Assess penalties for late filing of independent expenditure reports by AFL-CIO (\$117.57) and MSEA (\$85.30). Decide whether additional penalties for violation of Maine Clean Election Act are warranted (not to exceed \$10,000).

3. Inquiry by Mr. James J. Campbell, Sr. (impact of "independent expenditures" on Maine Clean Election Act candidate matching fund eligibility): By letter dated June 15, 2000, Mr. Campbell requested a determination of the legality of the "Election Alert" from the National Rifle Association Political Victory Fund to vote for Mr. Michael McAlevee in the Republican primary for Senate District 34. Tabled from July 12, 2000 meeting.

Recommendation: Response from National Rifle Association Political Victory Fund dated July 11, 2000, contains insufficient information upon which to make a determination. Decide whether to assess penalty for failure to file independent expenditure report based on results of decisions made in Agenda Item #2.

4. Inquiry by Mr. Morrison Bonpasse (propriety of endorsements by "public officials"): By letter dated June 19, 2000, Mr. Bonpasse questioned the appropriateness of endorsements by "public officials" in their official capacities in the form of "letters to the editors" of two House District 58 newspapers. Tabled from July 12, 2000 meeting.

Recommendation: Based upon the information provided in correspondence from Ms. Mary Brewer, Managing Editor, *Boothbay Register*, and Mr. John Lisnik, Assistant to the Chancellor for Governmental Relations, it appears that the letters in question were altered in form by Ms. Brewer, based upon editorial policy of the *Boothbay Register*, and without the intent for them to appear as "endorsements" rather than the "thank you" notes of their original form. Recommend no further action.



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5. Inquiry by Mr. Arnold Woolf (contribution reporting and independent expenditure impact): By letter dated June 28, 2000, Mr. Woolf inquired regarding the reporting requirements for expenditures by another that may benefit a Clean Election Act candidate and how to counter last minute expenditures on behalf of a nonparticipating opponent. Tabled from July 12, 2000 meeting pending receipt of copy of communication in question.
Recommendation: To be provided.

NEW BUSINESS

6. Maine People's Alliance letter regarding non-reportability of certain membership communications made in connection with June 13, 2000, primary election.
7. James A. Banks, Sr. Request for Waiver of Late Filing Penalty:
Mailed: June 3, 2000 (late PM)
Postmarked: June 5, 2000 (Portland)
Due: June 7, 2000
Fax Rec'd: June 9, 2000
Orig. Rec'd: June 12, 2000
Recommendation: Waive Penalty of \$22.82.
8. Patrick E. Colwell, Receipt of Contribution in Excess of Limits:
December 15, 1999: Received \$250 from "CMP Group Employees"
May 31, 2000: Received \$250 from "CMP Group"
July 6, 2000: Notified of Excess Contribution
July 7, 2000: May 31, 2000 contribution returned to CMP Group
July 17, 2000: CMP Group acknowledges excess contribution, explains error, notes establishment of prevention procedures, and Apologizes to candidate.
Recommendation: No further action warranted.
9. Other: As allowed.
10. Executive Session: If appropriate.

ADJOURNMENT